



United States Courts for the Ninth Circuit

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NEWS RELEASE

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President Revises Nomination of N. Randy Smith to Ninth Circuit Court of Appeals

SAN FRANCISCO – President Bush has revised his nomination of Idaho State Court Judge N. Randy Smith to serve as a judge of the United States Court of Appeals for the Ninth Circuit.

The White House announced Tuesday, January 16, that Judge Smith has been nominated to replace Judge Thomas G. Nelson of Boise, who assumed senior status on November 14, 2003. The president had previously nominated Judge Smith to replace Judge Stephen S. Trott of Boise, who assumed senior status on December 31, 2004. The previous nomination was withdrawn and a new nomination made.

The change may hasten Senate consideration of Judge Smith. His prior nomination to replace Judge Trott had been opposed by Senator Dianne Feinstein of California, who maintained that the judgeship was originally allocated to California and should be filled by a Californian.

Judge Smith was appointed as a district judge for Idaho's Sixth Judicial District in 1995. He won reelection in 1998 and 2002. Since 2004, he has served as the court's administrative judge. Prior to coming onto the bench, he practiced as a civil litigator with the law firm of Merrill & Merrill, focusing on corporate civil litigation and insurance defense cases.

Born in Logan, Utah, Judge Smith received his B.S. degree in 1974 from Brigham Young University and his J.D. from BYU's J. Reuben Clark School of Law in 1977.

The Ninth Circuit Court of Appeals is authorized 28 active judgeships and currently has two vacancies. The court hears appeals of cases decided by federal trial courts or state courts in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington, plus the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. For fiscal year 2006, the court reported 14,636 appeals filed.

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